Judge Mark Wallace, Presiding Courtroom 6C Calendar

Wednesday, November 10, 2021

Hearing Room

6C

9:00 AM

8:15-15311 Freedom Communications, Inc.

Chapter 11

#1.00

POST CONFIRMATION STATUS CONFERENCE RE: (1) Status Of Chapter 11 Case; And (2) Requiring Report On Status Of Chapter 11 case (Petition filed 11/1/15) (Set at 7-7-21 Confirmation Hrg)

FR: 1-13-16; 3-2-16; 4-13-16; 7-27-16; 12-7-16; 4-19-17; 8-30-17; 12-13-17; 4-9-18; 8-1-18; 11-14-18; 4-8-19; 8-12-19; 11-13-19; 4-15-20; 9-9-20; 9-23-20; 3-17-21; 4-28-21; 9-15-21

[Tele. appr., Jeffrey W. Dulberg, repr., Official Committee of Unsecured Creditors]

Docket 1784

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Post-Confirmation Status Report was very helpful.

The Court will continue the status conference to February 7, 2022 at 2:00 p.m. An updated status report is due January 24, 2022.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Freedom Communications, Inc. Represented By

William N Lobel Beth Gaschen Alan J Friedman Christopher J Green

11/9/2021 4:59:24 PM

Page 1 of 27

Judge Mark Wallace, Presiding Courtroom 6C Calendar

Wednesday, November 10, 2021

Hearing Room

6C

9:00 AM

CONT... Freedom Communications, Inc.

Chapter 11

Caroline Djang Scott D Fink Reed M Mercado Jeffrey W Dulberg

Judge Mark Wallace, Presiding Courtroom 6C Calendar

Wednesday, November 10, 2021

Hearing Room

6C

9:00 AM

8:18-13731 Fernando Zotea

Chapter 7

Adv#: 8:20-01044 Harman v. Zotea

#2.00

CONT'D STATUS CONFERENCE Hearing RE: Complaint To Determine Dischargeability Of Debt Pursuant To 11 U.S.C. Section 523(a)(2)(A) (Objection To Dischargeability) And Damages (Complaint filed 4/9/2020)

FR: 7-8-20; 1-20-21; 4-28-21

[Tele. appr., Richard A. Jorgensen, repr., Jacob Harman, Plaintiff]

[Tele. appr., Peter N. Villar, repr., Fernando Zotea, Defendant]

Docket 1

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will inquire into the status of the mediation ordered by this Court and whether an order has been lodged sending this adversary proceeding into mediation.

Next status conference: March 16, 2022 at 10:00 a.m. An updated status report is due March 2, 2022.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Fernando Zotea

Pro Se

Judge Mark Wallace, Presiding Courtroom 6C Calendar

Wednesday, November 10, 2021

Hearing Room

6C

9:00 AM

CONT... Fernando Zotea

Chapter 7

Defendant(s):

Fernando Zotea Represented By

Christopher B Good

Joint Debtor(s):

Alena May Zotea Pro Se

Plaintiff(s):

Jacob Harman Represented By

Richard Jorgensen Jeffrey R Salberg

Trustee(s):

Jeffrey I Golden (TR) Pro Se

Judge Mark Wallace, Presiding Courtroom 6C Calendar

Wednesday, November 10, 2021

Hearing Room

6C

9:00 AM

8:19-12113 Heidi Crawford

Chapter 7

Adv#: 8:19-01182 Amerifactors Financial Group, LLC v. Crawford et al

#3.00

CONT'D STATUS CONFERENCE Hearing RE: Amended Adversary Complaint For Nondischargeability Of Debt Pursuant To 11 U.S.C. Sections 523(a)(2)(A), (a)(2)(B), (a)(4), And (a)(6) (Complaint filed 9/9/19) (Amended Complaint filed 9/11/19) (Another Summons issued 10-23-19)

FR: 11-27-19; 1-22-20; 3-11-20; 5-13-20; 8-19-20; 7-14-21

[Tele. appr., Jeffrey R. Brower, repr., Amerifactors Financial Group, Creditor]

Docket 1

Tentative Ruling:

APPEARANCES REQUIRED.

It is the Court's intention to dismiss this adversary proceeding for lack of prosecution. Counsel for Plaintiff is ordered to appear and to be prepared to discuss the status of the AP and whether it should be dismissed.

Party Information

Debtor(s):

Heidi Crawford Represented By

Richard G Heston

Defendant(s):

Heidi Crawford Pro Se

11/9/2021 4:59:24 PM

Page 5 of 27

Judge Mark Wallace, Presiding Courtroom 6C Calendar

Wednesday, November 10, 2021

Hearing Room

6C

9:00 AM

CONT... Heidi Crawford

Chapter 7

Michael Crawford Pro Se

Plaintiff(s):

Amerifactors Financial Group, LLC

Represented By Jon N Owens

Trustee(s):

Jeffrey I Golden (TR)

Pro Se

Judge Mark Wallace, Presiding Courtroom 6C Calendar

Wednesday, November 10, 2021

Hearing Room

6C

9:00 AM

8:19-12127 Richard J. Kelly and Mary J. Kelly

Chapter 7

#4.00

CONT'D Hearing RE: Objection To Debtors' Claims Of Exemption (Motion filed 12/13/19)

FR: 1-27-20; 4-20-20L; 7-20-20; 11-30-20; 1-29-21; 4-19-21; 7-14-21

Docket 33

Tentative Ruling:

APPEARANCES NOT REQUIRED.

Based upon the Parties' stipulation the Court will continue this matter to January 26, 2022 at 9:00 a.m. An updated status report is due January 12, 2022.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Richard J. Kelly Represented By

J Scott Williams

Joint Debtor(s):

Mary J. Kelly Represented By

J Scott Williams

Trustee(s):

Jeffrey I Golden (TR)

Represented By

Faye C Rasch

Judge Mark Wallace, Presiding Courtroom 6C Calendar

Wednesday, November 10, 2021

Hearing Room

6C

9:00 AM

8:19-12127 Richard J. Kelly and Mary J. Kelly

Chapter 7

#5.00

CONT'D Hearing RE: Objection To Debtor's Claims Of Exemption On Amended Schedules

(Motion filed 6/19/2020)

FR: 7-20-20; 11-30-20; 1-25-21; 4-19-21; 7-14-21

Docket 59

Tentative Ruling:

APPEARANCES NOT REQUIRED.

Based upon the Parties' stipulation the Court will continue this matter to January 26, 2022 at 9:00 a.m. An updated status report is due January 12, 2022.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Richard J. Kelly Represented By

J Scott Williams

Joint Debtor(s):

Mary J. Kelly Represented By

J Scott Williams

Trustee(s):

Jeffrey I Golden (TR)

Represented By

Faye C Rasch

Judge Mark Wallace, Presiding Courtroom 6C Calendar

Wednesday, November 10, 2021

Hearing Room

6C

9:00 AM

8:19-14723 James Alvin Grove

Chapter 7

Adv#: 8:20-01026 Nigolian et al v. Grove

#6.00

CONT'D STATUS CONFERENCE Hearing RE: Complaint To Determine Nondischargeability Of Debt, To Deny Debtor's Discharge And For Entry Of Judgment (Complaint filed 3/12/20)

FR: 6-3-20; 7-15-20; 1-20-21; 3-24-21

Docket 1

Tentative Ruling:

APPEARANCES NOT REQUIRED.

The Court will continue this status conference to April 27, 2022 at 10:00 a.m. to await the Ninth Circuit's determination of the appeal from Judge Carter's decision.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

James Alvin Grove Represented By

Michael N Nicastro Michael G Spector

Defendant(s):

James Alvin Grove Represented By

Michael G Spector

Judge Mark Wallace, Presiding Courtroom 6C Calendar

Wednesday, November 10, 2021

Hearing Room

6C

9:00 AM

CONT... James Alvin Grove

Chapter 7

Plaintiff(s):

Sarine Nigolian Represented By

Grant A Nigolian

Grant Nigolian Represented By

Grant A Nigolian

Trustee(s):

Jeffrey I Golden (TR) Pro Se

Judge Mark Wallace, Presiding Courtroom 6C Calendar

Wednesday, November 10, 2021

Hearing Room

6C

9:00 AM

8:21-11253 Michael Lindsay

Chapter 7

Adv#: 8:21-01077 Skoumidas v. Lindsay

#7.00

STATUS CONFERENCE Hearing RE: Amended Complaint to Determine Nondischargeability of Debt (Complaint filed 8-25-21) (Amended Complaint filed 10-28-21)

[Tele. appr., Fritz J. Firman, repr., Michael Lindsay, Defendant]

[Tele. appr., John D. Ott, repr., Stacy Skoumidas, Plaintiff]

Docket 10

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will issue the following scheduling order:

All discovery shall close on April 30, 2022.

All discovery motions shall be heard before May 3, 2022.

All pretrial motions (except motions in limine) shall be heard before June 30, 2022.

Pretrial conference is set for July 13, 2022 at 10:00 a.m.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Michael Lindsay

Represented By Joseph A Weber

11/9/2021 4:59:24 PM

Judge Mark Wallace, Presiding Courtroom 6C Calendar

Wednesday, November 10, 2021

Hearing Room

6C

9:00 AM

CONT... Michael Lindsay

Chapter 7

Defendant(s):

Michael Lindsay Pro Se

Plaintiff(s):

Stacy Skoumidas Represented By

John D Ott

Trustee(s):

Richard A Marshack (TR) Pro Se

Judge Mark Wallace, Presiding Courtroom 6C Calendar

Wednesday, November 10, 2021

Hearing Room

6C

9:00 AM

8:21-12162 Sepideh Sally Cirino

Chapter 11

#8.00

STATUS CONFERENCE RE: (1) Status Of Chapter 11 Case; And (2) Requiring Report On Status Of Chapter 11 case (Petition filed 9-2-21)

Docket 1

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will inquire into the Debtor's compliance with UST guidelines and requirements.

The Court will set a deadline of July 31, 2022 for the filing of a plan and disclosure statement and a deadline of October 31, 2022 for confirming a chapter 11 plan.

Next status conference: March 16, 2022 at 10:00 a.m. An updated status report is due March 2, 2022.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Sepideh Sally Cirino

Pro Se

Judge Mark Wallace, Presiding Courtroom 6C Calendar

Wednesday, November 10, 2021

Hearing Room

6C

9:00 AM

8:18-13311 Ruby's Diner, Inc., a California corporation

Chapter 7

Adv#: 8:21-01014 Marshack v. Cavanaugh et al

#9.00

Hearing RE: Motion for Release of Attachment Lien From Exempt Property and for Damages for Wrongful Attachment

(Motion filed 10-15-21)

Docket 291

*** VACATED *** REASON: OFF CALENDAR - MOTION IS MOOT PER RULING AT 11-9-21 HEARING.

Tentative Ruling:

Party Information

Debtor(s):

Ruby's Diner, Inc., a California Represented By

William N Lobel Jeffrey P Nolan

Defendant(s):

Douglas Cavanaugh Represented By

Leo A Bautista

Aviram Edward Muhtar

Maria L Garcia Lawrence Treglia Jr

Ralph Kosmides Represented By

Leo A Bautista

Aviram Edward Muhtar

Maria L Garcia Lawrence Treglia Jr

Beachcomber Management Crystal Represented By

Leo A Bautista Maria L Garcia

Aviram Edward Muhtar

Santa Ana

Judge Mark Wallace, Presiding Courtroom 6C Calendar

Wednesday, November 10, 2021

Hearing Room

6C

9:00 AM

CONT... Ruby's Diner, Inc., a California corporation

Chapter 7

Lighthouse Cafe, LLC Represented By

Steven C Smith Stephen C Biggs John S Clifford

Beachcomber at Crystal Cove, LLC Represented By

Steven C Smith Stephen C Biggs John S Clifford

Shake Shack Crystal Cove, LLC Represented By

Steven C Smith Stephen C Biggs John S Clifford

Plaintiff(s):

Richard A. Marshack Represented By

Christopher Dale Beatty

Trustee(s):

Richard A Marshack (TR)

Represented By

Laila Masud D Edward Hays Tinho Mang

Christopher Dale Beatty

Judge Mark Wallace, Presiding Courtroom 6C Calendar

Wednesday, November 10, 2021

Hearing Room

6C

9:00 AM

8:18-13311 Ruby's Diner, Inc., a California corporation

Chapter 7

Adv#: 8:21-01014 Marshack v. Cavanaugh et al

#10.00

Hearing RE: Motion for Review of Right to Attach Orders and Orders for Issuance of Writs of Attachment as to (1) Douglas Cavanaugh, and, (2) Ralph Kosmides and to Vacate such Orders in the Interest of Justice (Motion filed 10-19-21)

Docket 293

*** VACATED *** REASON: OFF CALENDAR - MOTION IS MOOT PER RULING AT 11-9-21 HEARING.

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Ruby's Diner, Inc., a California Represented By

William N Lobel Jeffrey P Nolan

Defendant(s):

Douglas Cavanaugh Represented By

Leo A Bautista

Aviram Edward Muhtar

Maria L Garcia Lawrence Treglia Jr

Ralph Kosmides Represented By

Leo A Bautista

Aviram Edward Muhtar

Maria L Garcia Lawrence Treglia Jr

Beachcomber Management Crystal Represented By

Leo A Bautista Maria L Garcia

11/9/2021 4:59:24 PM

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Courtroom 6C Calendar

Santa Ana Judge Mark Wallace, Presiding

Wednesday, November 10, 2021

Hearing Room

6C

9:00 AM

CONT... Ruby's Diner, Inc., a California corporation

Chapter 7

Lighthouse Cafe, LLC Represented By

Steven C Smith Stephen C Biggs John S Clifford

Aviram Edward Muhtar

Beachcomber at Crystal Cove, LLC Represented By

Steven C Smith Stephen C Biggs John S Clifford

Shake Shack Crystal Cove, LLC Represented By

Steven C Smith Stephen C Biggs John S Clifford

Plaintiff(s):

Richard A. Marshack Represented By

Christopher Dale Beatty

Trustee(s):

Richard A Marshack (TR)

Represented By

Laila Masud D Edward Hays Tinho Mang

Christopher Dale Beatty

Judge Mark Wallace, Presiding Courtroom 6C Calendar

Wednesday, November 10, 2021

Hearing Room

6C

9:00 AM

8:20-13309 Richard Lawrence Spix

Chapter 11

#11.00

CONT'D STATUS CONFERENCE Hearing RE: (1) Status Of Chapter 11 Case; And (2) Requiring Report On Status Of Chapter 11 Case

FR: 2-10-21; 7-14-21

[Tele. appr., Barry R. Gore, repr., LA Investments, LLC and Peter Starflinger, Creditor]

[Tele. appr., Michael Hauser, repr., U.S. Trustee]

[Tele. appr., Brett H. Ramsaur, repr., Debtor]

Docket 1

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will inquire into Debtor's compliance with UST guidelines and requirements.

Next status conference: February 9, 2022 at 9:00 a.m. An updated status report is due January 26, 2022.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Richard Lawrence Spix

Represented By Brett Ramsaur

Judge Mark Wallace, Presiding Courtroom 6C Calendar

Wednesday, November 10, 2021

Hearing Room

6C

9:00 AM

8:20-13309 Richard Lawrence Spix

Chapter 11

#12.00

Hearing RE: Motion for Order: (1) Approving Disclosure Statement; (2) Approving Notice Procedures; (3) Establishing Confirmation Procedures and Deadlines; and (4) Establishing Certain Bar Dates (Motion filed 7-28-21) (D.S. filed 7-28-21) (Amended Plan filed 7-28-21) (Amended D.S. and Plan filed 10-8-21)

FR: 9-8-21

[Tele. appr., Barry R. Gore, repr., LA Investments, LLC and Peter Starflinger, Creditor]

[Tele. appr., Michael Hauser, repr., U.S. Trustee]

[Tele. appr., Brett H. Ramsaur, repr., Debtor]

Docket 73

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will sustain (1) the objections of creditors LA Investments and Mr. Starflinger, (2) vacate all deadlines relating to filing a disclosure statement and confirmation of a chapter 11 plan, and (3) order Debtor, LA Investments, and Mr. Starflinger into mediation. The parties shall file a mediation stipulation and lodge an order thereon on or before December 31, 2021.

COURT TO PREPARE ORDER.

Party Information

Judge Mark Wallace, Presiding Courtroom 6C Calendar

Wednesday, November 10, 2021

Hearing Room

6C

9:00 AM

CONT... Richard Lawrence Spix

Chapter 11

Debtor(s):

Richard Lawrence Spix

Represented By
Brett Ramsaur

Judge Mark Wallace, Presiding Courtroom 6C Calendar

Wednesday, November 10, 2021

Hearing Room

6C

9:00 AM

8:20-11083 239 Carnation LLC, a Texas Limited Liability Compa

Chapter 11

#13.00

CONT'D STATUS CONFERENCE Hearing RE: (1) Status Of Chapter 11 Case; And (2) Requiring Report On Status Of Chapter 11 Case (Petition filed 3/31/2020)

FR: 6-3-20; 8-26-20; 11-18-20; 3-17-21; 4-28-21; 7-14-21; 7-19-21; 10-27-21

[Tele. appr., Jeffrey I. Golden, repr., Debtor]

[Tele. appr., Nancy Goldenberg, repr., U.S. Trustee]

[Tele. appr., Aaron J. Malo, repr., John Morrison, Creditor]

[Tele. appr., Sonia Plesset Edwards, repr., Bridge Loan Financial Inc., Creditor]

[Tele. appr., Roger F. Friedman, repr., Bridge Loan Financial Inc., Creditor]

Docket 15

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will inquire whether the sale closed.

Next status conference: TBD.

Party Information

Debtor(s):

239 Carnation LLC, a Texas Limited

Represented By Jeffrey I Golden Beth Gaschen

11/9/2021 4:59:24 PM

Page 21 of 27

Judge Mark Wallace, Presiding Courtroom 6C Calendar

Wednesday, November 10, 2021

Hearing Room

6C

9:00 AM

CONT... 239 Carnation LLC, a Texas Limited Liability Compa

Chapter 11

Judge Mark Wallace, Presiding Courtroom 6C Calendar

Wednesday, November 10, 2021

Hearing Room

6C

9:00 AM

8:20-11083 239 Carnation LLC, a Texas Limited Liability Compa

Chapter 11

#14.00

CONT'D Hearing RE: U.S. Trustee Motion to dismiss or convert Pursuant to 11 U.S.C. § 1112(b) (Motion filed 4-20-21)

FR: 6-14-21; 8-9-21; 9-13-21; 11-8-21

[Tele. appr., Jeffrey I. Golden, repr., Debtor]

[Tele. appr., Nancy Goldenberg, repr., U.S. Trustee]

[Tele. appr., Aaron J. Malo, repr., John Morrison, Creditor]

[Tele. appr., Sonia Plesset Edwards, repr., Bridge Loan Financial Inc., Creditor]

[Tele. appr., Roger F. Friedman, repr., Bridge Loan Financial Inc., Creditor]

Docket 97

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will inquire whether the UST still wishes to prosecute this Motion.

Party Information

Debtor(s):

239 Carnation LLC, a Texas Limited

Represented By Jeffrey I Golden Beth Gaschen

Judge Mark Wallace, Presiding Courtroom 6C Calendar

Wednesday, November 10, 2021

Hearing Room

6C

10:00 AM

8:21-12045 Jessica Camacho-Brown

Chapter 7

#1.00

Hearing RE: Pro se Reaffirmation Agreement Between Debtor and Rogue Credit

(Reaffirmation filed 10-12-21)

[RE: 2016 Toyota Highlander XLE - Amount: \$12,885.27]

[VIN No: 5TDJKRFH2GS324512]

Docket 7

Tentative Ruling:

APPEARANCES REQUIRED.

The reaffirmation agreement is approved provided that: (1) the vehicle is insured, (2) the monthly payments are current, and (3) the debtor can afford future payments.

COURT TO PREPARE ORDER.

-	4 T	•		•
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Debtor(s):

Jessica Camacho-Brown Pro Se

Trustee(s):

Weneta M.A. Kosmala (TR) Pro Se

Judge Mark Wallace, Presiding Courtroom 6C Calendar

Wednesday, November 10, 2021

Hearing Room

6C

10:00 AM

8:21-12192 Eric Alejandro Castillo

Chapter 7

#2.00

Hearing RE: Reaffirmation Agreement Between Debtor and Ford Motor Credit Company LLC

(Reaffirmation filed 9-29-21)

[RE: 2017 Ford Escape - Amount: \$11,967.51]

[VIN No.: 1FMCU0G97HUD42194]

Docket 9

Tentative Ruling:

APPEARANCES REQUIRED.

The reaffirmation agreement is **not** approved, as it is not in the best interest of the Debtor (monthly payment is a large portion of monthly income).

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Eric Alejandro Castillo Represented By

Bert Briones

Trustee(s):

Weneta M.A. Kosmala (TR)

Pro Se

Judge Mark Wallace, Presiding Courtroom 6C Calendar

Wednesday, November 10, 2021

Hearing Room

6C

2:00 PM

8:20-13335 Heartwise, Inc.

Chapter 11

#1.00

Hearing RE: Confirmation of First Amended Chapter 11 Plan of Reorganization (Amended Plan filed 9-22-21)

[Tele. appr., Alex Chucri, repr., Interested Part - Listen Only]

[Tele. appr., Nancy Goldenberg, repr., U.S. Trustee]

[Tele. appr., Kathleen P. March, repr., Interested Party - Listen Only]

[Tele. appr., William D. Gardner, repr., DavidPaul Doyle, Interested Party]

[Tele. appr., Osman Khan, repr., Vitamins Online, Creditor - Listen Only]

Docket 460

Tentative Ruling:

APPEARANCES REQUIRED.

No tentative ruling. The contested plan confirmation hearing will go forward.

Party Information

Debtor(s):

Heartwise, Inc.

Represented By RONALD CLIFFORD

Judge Mark Wallace, Presiding Courtroom 6C Calendar

Wednesday, November 10, 2021

Hearing Room

6C

2:00 PM

8:20-13335 Heartwise, Inc.

Chapter 11

#2.00

CONT'D STATUS CONFERENCE Hearing RE: (1) Status Of Chapter 11 Case; And (2) Requiring Report On Status Of Chapter 11 Case (Petition filed 12-4-20)

FR: 2-10-21, 4-7-21; 5-12-21; 7-14-21; 7-21-21; 11-3-21

Docket 1

Tentative Ruling:

APPEARANCES REQUIRED.

The Court will inquire into the Debtor's compliance with UST guidelines and requirements.

Next status conference: TBD.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Heartwise, Inc. Represented By

RONALD CLIFFORD